

**IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF NEW MEXICO**

**STATE OF NEW MEXICO, *ex rel.*  
State Engineer**

**Plaintiff,**

**v.**

**Ramon Aragon, *et al.*,**

**Defendants.**

FILED  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO  
02 DEC -6 PM 2:34

69cv07941 JEC-ACE

**RIO CHAMA STREAM SYSTEM  
Section 3: Rio Nutrias, Rio Cebolla  
& Canjilon Creek**

**Subfile No. CHCJ-001-0001**

**MOTION TO VACATE DEFAULT JUDGMENT  
AND FOR LEAVE TO FILE A CONSENT ORDER  
IN SUBFILE NO. CHCJ-001-0001**

COMES NOW the plaintiff, State of New Mexico, *ex rel.* State Engineer, by and through his attorneys, and moves the Court to vacate the August 29, 2002 Order Granting Default Judgment (Docket No. 6835) for the following defendants:

Alfred J. Chavez      CHCJ-001-0001

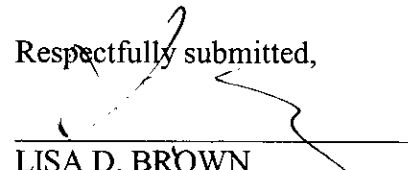
Sarah Chavez      CHCJ-001-0001

As grounds therefore plaintiff states that since default judgment was ordered against the above named defendants, they have signed a consent order that will adjudicate their water rights by agreement. Plaintiff received this consent order on December 3, 2002.

WHEREFORE, the plaintiff State of New Mexico requests the Court to vacate the Order Granting Default Judgment with respect to the above named defendants, and only with respect to the above named defendants, and for leave to file a consent order in Subfile CHCJ-001-0001.

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Respectfully submitted,

  
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**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Motion to Set Aside Default Judgment and for Leave to File a Consent Order in Subfile No. CHCJ-001-0001 was mailed to the following persons on December 6, 2002.

  
\_\_\_\_\_  
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